IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

Con.Case(C).No. 1520 of 2006(S)

(AGAINST THE ORDER IN WPC.28652/2005 DTD.31/3/2006 & 12/06/2006)

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PETITIONER:

P.B. SURESH, AGED 40 YEARS,
S/O. BHASKARAN, PANIPRA HOUSE, KONNATHADY P.O.,
IDUKKI DISTRICT.

BY ADV. SRI.JOBI JOSE KONDODY

RESPONDENTS:

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1. A.J. RAJAN,
AGE AND SON OF NOT KNOWN TO THE PETITIONER,
COLLECTOR, COLLECTORATE, KUILIMALA, PAINAVU P.O.,
IDUKKI DISTRICT.

2. K.K. HARIHARAN PILLAI,
AGE AND SON OF NOT KNOWN TO THE PETITIONER,
TAHSILDAR, TALUK OFFICE, DEVICOLAM,IDUKKI DISTRICT

3. J. RAJENDRA KUMAR,
AGE AND SON OF NOT KNOWN TO THE PETITIONER,
SECRETARY, ADIMALI GRAMA PANCHAYATH OFFICE,
ADIMALI P.O., IDUKKI DISTRICT.

BY SR. GOVERNMENT PLEADER SRI.P.N.SANTHOSH
SRI.LATHEESH SEBASTIAN

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD

ON 21/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

Cont.Case (C) NO. 1520 OF 2006 S

Dated this the 21st day of March, 2007

J U D G M E N T

Third Respondent is present in court. He has filed an additional affidavit explaining the circumstances under which he has conducted the auction. He has also produced a copy of the resolution of the Panchayath to auction the sand collected from the river. Although I am not very happy about the way in which the Panchayath has proceeded with the matter, taking into account the circumstance that the auction has now been stopped, I do not think, it necessary to continue the proceedings in this contempt of court case. However, it would be open to the petitioner to reopen the contempt of court case by filing an appropriate petition if the Panchayath continues the auction against the provisions of the Act in question.

The Contempt of Court Case is closed.

S. SIRI JAGAN,
Judge

Mbs/

K.THANKAPPAN, J

Crl.Appeal NO. OF 2001

J U D G M E N T

DATED:13-02-2007